

AMENDED IN SENATE APRIL 26, 2010

SENATE BILL

No. 1418

Introduced by Senator Wiggins

February 19, 2010

An act to amend Sections 2550, 2551, 2555, and 2557 of the Streets and Highways Code, relating to highways.

LEGISLATIVE COUNSEL'S DIGEST

SB 1418, as amended, Wiggins. Transportation: motorist aid services.

Existing law authorizes the establishment of a service authority for freeway emergencies in any county if the board of supervisors of the county and the city councils of a majority of the cities within the county adopt resolutions providing for the establishment of the service authority. Existing law authorizes the Metropolitan Transportation Commission to function as the service authority for freeway emergencies in the San Francisco Bay area counties upon adoption of a resolution, as specified. Existing law authorizes a service authority to impose a fee of \$1 per year on vehicles registered in the counties served by the service authority. Existing law requires moneys received by a service authority to be used for the implementation, maintenance, and operation of a motorist aid system of call boxes and authorizes moneys received by a service authority in excess of what is needed for that system to be used for additional motorist aid services, including, among other things, changeable message signs and lighting for call boxes. Existing law requires any plan or amendment to a plan for a motorist aid system of call boxes for any state highway route to be approved by the Department of Transportation and the Department of the California Highway Patrol.

This bill would authorize those service authorities to be established for freeway and expressway services, instead of only freeway

emergencies, and would ~~delete~~ *revise* the provisions authorizing ~~only~~ excess moneys to be used for additional motorist aid services ~~and would instead to authorize those moneys from the service authority fee on vehicles~~ to be used for the implementation, maintenance, and operation of systems, projects, and programs to aid and assist motorists, including, among other things, ~~a call box system~~, freeway service patrol, mobile roadside assistance systems, intelligent transportation systems, and traveler information systems. The bill would authorize the Metropolitan Transportation Commission to place call boxes to assist motorists ~~a~~ in specified parking or roadway areas in mutually agreed upon state and federal parks. The bill would authorize a service authority to impose a fee of up to \$2 per year on vehicles registered in the counties served by the service authority. The bill would provide that any amendment to an existing plan for a motorist aid network of call boxes adopted by a service authority shall be deemed to be approved by the Department of Transportation and the Department of the California Highway Patrol unless rejected within 120 days of receipt of the amendment.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 2550 of the Streets and Highways Code
2 is amended to read:
3 2550. The Legislature declares that its intent in enacting this
4 chapter is to encourage *the placement of call boxes and the*
5 *provision of* services that directly aid motorists along the California
6 freeway and expressway system. However, it is not intended that
7 any services provided be considered an emergency system.
8 SEC. 2. Section 2551 of the Streets and Highways Code is
9 amended to read:
10 2551. (a) A service authority for freeways and expressways
11 may be established in any county if the board of supervisors of the
12 county and the city councils of a majority of the cities within the
13 county having a majority of the population of cities within the
14 county adopt resolutions providing for the establishment of the
15 authority.
16 (b) The resolutions may designate the county transportation
17 commission for the county, created pursuant to Division 12
18 (commencing with Section 130000) of the Public Utilities Code

1 or council of governments formed pursuant to Chapter 5
2 (commencing with Section 6500) of Division 7 of Title 1 of the
3 Government Code, as the service authority for freeways and
4 expressways. The powers of a commission or council of
5 governments so designated are limited to those of the service
6 authority.

7 (c) (1) The Metropolitan Transportation Commission may
8 function as the service authority for freeways and expressways in
9 any or all of the Counties of Santa Clara, San Mateo, Alameda,
10 Contra Costa, Marin, Solano, Sonoma, Napa, and the City and
11 County of San Francisco upon adoption of a resolution by the
12 commission to act as a service authority and upon ratification of
13 the commission's resolution in a particular county by the board of
14 supervisors of the city and county or by the board of supervisors
15 of the county and by the city councils of the cities within the county
16 having a majority of the population of the cities within the county.

17 (2) The Metropolitan Transportation Commission may also
18 exercise, as the service authority in any of those counties, the power
19 to strategically place call boxes to assist motorists in parking or
20 roadway areas in mutually agreed upon state and federal parks
21 where telecommunication services are not available.

22 (d) (1) The Sacramento Area Council of Governments may
23 function as the service authority for freeways and expressways in
24 any or all of the Counties of Sacramento, Yolo, Yuba, Sutter, and
25 San Joaquin, or any other county that is not within another
26 multicounty service authority, upon adoption of a resolution by
27 the council to act as a service authority and upon ratification of
28 the resolution in a particular county by the board of supervisors
29 of the county and by the city councils of the cities within the county
30 having a majority of the population of the cities within the county.

31 (2) The Sacramento Area Council of Governments may also
32 exercise, as a service authority, in any of those counties, the powers
33 specified in Section 891.5 pertaining to call boxes on class 1
34 bikeways.

35 (e) As used in this chapter, "authority" and "service authority"
36 mean a service authority for freeways and expressways created
37 pursuant to this chapter.

38 SEC. 3. Section 2555 of the Streets and Highways Code is
39 amended to read:

1 2555. An authority may impose a fee of up to two dollars (\$2)
2 per year, in one dollar (\$1) increments, on vehicles registered in
3 the county pursuant to Section 9250.10 of the Vehicle Code.

4 SEC. 4. Section 2557 of the Streets and Highways Code is
5 amended to read:

6 2557. (a) Except as provided in subdivision (c), the moneys
7 received by each authority pursuant to subdivision (b) of Section
8 9250.10 of the Vehicle Code shall be used for the implementation,
9 maintenance, and operation of *a motorist aid system of call boxes*
10 *on the portions of the state freeway and expressway system, the*
11 *county expressway system, the unincorporated county roads in*
12 *that county, and the state highway routes that connect segments*
13 *of these systems, that are located within the county in which the*
14 *authority is established. Any money received that exceeds the*
15 *amount needed for full implementation and ongoing costs to*
16 *maintain and operate the motorist aid system of call boxes may*
17 *be used for the implementation, maintenance, and operation of*
18 systems, projects, and programs to aid and assist motorists,
19 including, but not limited to, ~~a call box system~~, freeway service
20 patrol, mobile roadside assistance systems, intelligent transportation
21 systems, incident management programs and coordination, traveler
22 information system programs, and support for traffic operation
23 centers, including the lease or lease-purchase of facilities and
24 equipment for the system, project, or program on the portions of
25 the state freeway and expressway system and a county expressway
26 system, and the unincorporated county roads in that county, and
27 on state highway routes that connect segments of these systems,
28 which are located within the county in which the authority is
29 established.

30 (b) An authority or any other public entity may construct and
31 maintain, and lease or lease-purchase on terms and conditions it
32 deems appropriate, the facilities of a motorist aid system, project,
33 or program or it may contract with a private person or entity to do
34 so.

35 (c) If leases or lease-purchase agreements are entered into
36 pursuant to subdivision (a), or if revenue bonds are issued and sold
37 pursuant to Section 2558, the moneys received by each authority
38 pursuant to subdivision (b) of Section 9250.10 of the Vehicle Code
39 shall be used to the extent necessary to make lease payments or to
40 pay the principal of, and interest on, the amount of bonded

1 indebtedness outstanding, as the case may be. Facilities and
2 equipment acquired through the expenditure of proceeds from the
3 sale of those bonds shall have a useful life at least equal to the
4 term of the bonds.

5 (d) The Department of Transportation and the Department of
6 the California Highway Patrol shall each review and approve plans
7 for implementation of a motorist aid network of call boxes
8 proposed for any state highway route and shall be reimbursed by
9 the service authority for all costs incurred due to review and
10 approval of the plan. Any amendment to an existing plan for a
11 motorist aid network of call boxes adopted by an authority for any
12 state highway route shall, prior to implementation, be submitted
13 to the Department of Transportation and the Department of the
14 California Highway Patrol for review and approval and shall not
15 be implemented until so reviewed and approved. The authority
16 shall reimburse each department for the costs of that review. Any
17 amendment to an existing plan for a motorist aid network of call
18 boxes adopted by an authority shall be deemed to be approved by
19 the Department of Transportation and the Department of the
20 California Highway Patrol unless otherwise rejected within 120
21 days of receipt of the amendment.

22 (e) An authority may develop policies for the retention of
23 records, including, but not limited to, authority operations,
24 contracts, and programs, and the length of the retention period.

25 (f) A motorist aid ~~call box network~~ *system* constructed,
26 maintained, or operated pursuant to this section shall meet the
27 applicable standards of Title II of the Americans with Disabilities
28 Act of 1990 (Public Law 101-336) and federal regulations adopted
29 pursuant thereto.